

REMARKS

Claims 1-4 and 6 are pending in this application, with claim 1 being the only independent claim. Dependent claim 5 has been canceled. Claims 1 and 6 have been amended. Independent claim 1 has been amended to incorporate the subject matter of canceled dependent claim 5. No new matter has been added. Reconsideration of the above-identified application, in view of the following remarks, is respectfully requested.

Claim 6 stands rejected under 35 U.S.C. §112, second paragraph as being indefinite for failure to point out and distinctly claim the subject matter which applicants regard as the invention. In response to the Examiner's specific rejection, applicants have amended the claim 6 in a self-explanatory manner. Withdrawal of this rejection is deemed to be in order.

Claims 1-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over GB 2 292 267 ("Pryce") in view of U.S. Patent No. 6,478,613 ("Zoell") or U.S. Patent No. 6,530,757 ("Soyer"). For the following reasons, reconsideration and withdrawal of this rejection are respectfully requested.

Independent claim 1 has been amended to incorporate the subject matter of dependent claim 5 (now canceled). That is, independent claim 1 recites, *inter alia*, "a plug arranged in the receiving device, the plug having electrical contacts for connecting an electric motor of the fuel pump to a mains supply and an integrally formed, circumferential sealing lip which includes a region that is oriented toward the electrical contacts and which seals the plug against the receiving device when fuel is conveyed through the fuel pump, the plug being extrusion-coated with plastic". No new matter has been added.

Applicant respectfully submits that amended claim 1 is patentable over *Pryce* in view of *Zoell* and *Soyer*, because the combination of *Pryce*, *Zoell* and *Soyer* fails to teach or suggest the above-quoted limitation of amended claim 1. In particular, the combination of *Pryce*, *Zoell* and

Soyer fails to teach or suggest a plug arranged in the receiving device, the plug having electrical contacts for connecting an electric motor of the fuel pump to a mains supply and an integrally formed, circumferential sealing lip which includes a region that is oriented toward the electrical contacts and which seals the plug against the receiving device when fuel is conveyed through the fuel pump”.

Pryce discloses “an automotive fuel pump unit 1 comprises a supporting flange 2 in the form of a flat metal disc having a peripheral elastomeric seal 4 by means of which the flange 2 can sealingly close an opening in a fuel tank (not shown) to which the unit 1 is to be assembled” (see pg. 4, lines 6-9). *Pryce* (pg. 6, lines 8-9) explains that “[t]he sealing ring 50 comprises an annular body 52 having radially spaced ribs 54 for resting on the flange 44 and a single central rib 56 projecting oppositely to the ribs 54 and thus away from the flange 54. *Pryce* clearly teaches a structure in which all of the disclosed ribs, i.e., ribs 54 and 56 point away from the flange, but not toward the electrical contacts. Figure 8 of *Pryce* clearly shows that the rib 54 is oriented away from the electrical contacts.

Moreover, *Pryce* (pg. 6, lines 8-9) explains that “[t]he sealing ring 50 comprises an annular body 52 having radially spaced ribs 54 for resting on the flange 44 and a single central rib 56 projecting oppositely to the ribs 54 and thus away from the flange 54. *Pryce* clearly teaches a structure in which all of the disclosed ribs, i.e., ribs 54 and 56 point away from the flange, but not toward the electrical contacts. Therefore, *Pryce* fails to teach or suggest the circumferential sealing lip “which includes a region that is oriented toward the electrical contacts”, as recited in now amended independent claim 1.

On page 3 of the Final Office Action, the Examiner acknowledges that *Pryce* fails to teach or suggest the material coating the plug of *Pryce*. *Zoell* and *Soyer* have been cited based on the failure of *Pryce* to teach or suggest a plug that is extrusion coated with plastic. However,

the combination of *Pryce*, *Zoell* and *Soyer* fails to teach or suggest a connection piece for a fuel pump that includes the plug as now recited in amended independent claim 1, because *Zoell* and *Soyer* each fail to teach or suggest the limitation “a plug arranged in the receiving device, the plug having electrical contacts for connecting an electric motor of the fuel pump to a mains supply and an integrally formed, circumferential sealing lip which includes a region that is oriented toward the electrical contacts and which seals the plug against the receiving device when fuel is conveyed through the fuel pump, the plug being extrusion-coated with plastic”, as now expressly recited in amended claim 1.

Zoell is directed to extrusion coating components of a fuel pump so that they become protected from corrosion caused by the fuel. *Zoell* (col. 3, lines, 26-28) explains that “the connector 1 is plugged onto the bearing plate 10, after assembly”. *Zoell* (col. 3, line 30 to col. 4, line 4) additionally explains that “[t]he carbon brushes 5 are mounted, such that they can move, in the receptacles 11 in the bearing plate 10, in such a manner that they can move downward in the event of wear resulting from the electric motor, which is not illustrated but is arranged under the bearing plate 10”. The connector 1 is not inserted through a surface of the bearing plate but, rather, the connector 1 rests on the bearing plate. Consequently, there is no plug in *Soyer* that has electrical contacts for connecting an electric motor of the fuel pump to a mains supply and an integrally formed, circumferential sealing lip which includes a region that is oriented toward the electrical contact and which seals the plug against the receiving device when fuel is conveyed through the fuel pump, as now recited in amended independent claim 1.

Soyer discloses a feed pump 1 with contacts 3, 4. The contacts are separately led through the connection cap 5, as shown in FIG. 2 of *Soyer*. There is nothing in *Soyer* to teach or suggest that these contacts should be arranged on a plastic plug and that the plastic plug should be sealed against the connection cap. A core aspect of the claimed invention is directed to sealing a plug

against a connection piece. *Soyer* is silent with respect to providing a seal that would achieve such an effect. Indeed, *Soyer* teaches an arrangement in which the contacts 3, 4 are directly inserted into the connection cap 5, without any sort of seal whatsoever. The skilled person would therefore have no reason to consider the teachings of *Pryce* when seeking to improve the fuel pump of *Soyer*, or *Zoell* for that matter, so as to achieve applicant's claimed plug, absent impermissible hindsight based on applicants' disclosure.

The Examiner (at pg. 2 of the January 23, 2009, Advisory Action) has indicated that “[t]he amendment would not place the case in condition for allowance because the sealing lip does have a portion oriented toward the contacts. This limitation is considered very broad”. Applicants dispute the Examiner's interpretation of the claimed limitation. The question is not whether the limitation is very broad but, rather, whether the claimed invention is anticipated or rendered unpatentable by the cited art. In the instant application, the Examiner has identified rib 54 of *Pryce* in FIG. 8. It is clear that these ribs extend in parallel to the orientation of the electrical contacts. The skilled person would readily appreciate that parallel lines do not intersect, which is clearly the case here, i.e., a line extended from the tip of the rib 54 in parallel to the line extending parallel to the imaginary line running through the rib would not intersect. Therefore, *Pryce* fails to teach or suggest the circumferential sealing lip “which includes a region that is oriented toward the electrical contacts”, as recited in now amended independent claim 1.

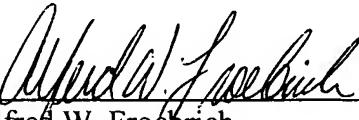
In view of the foregoing, amended independent claim 1 is patentable over the combination of *Pryce*, *Zoell* and *Soyer*. Reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are therefore in order, and a notice to that effect is respectfully requested.

In view of the patentability of independent claim 1, dependent claims 2-4 and 6 are also patentable over the prior art for the reasons set forth above, as well as for the additional recitations contained therein.

Based on the foregoing amendments and remarks, this application is in condition for allowance. Early passage of this case to issue is respectfully requested.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

By


Alfred W. Froebich

Reg. No. 38,887

551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: February 9, 2009